From: Ron Nath
To: Microsoft ATR
Date: 12/31/01 11:41pm
Subject: Microsoft Settlement

To whom it may concern:

I have reviewed to proposed settlement and would like to submit additional, revised comments from my previous ones. Overall, I believe the requirements are inconsequential and ineffective in stopping this convicted monopolist. The best course of action would have been to break-up the company as originally suggested by Judge Thomas Penfield Jackson (or even more so). However, as that is almost certainly not going to happen, alternatives need to be found.

The current list of remedies (besides being ineffective) requires oversight and will undoubtedly allow Microsoft to find loopholes. Moreover, the duration of the requirements are only in effect for five years. I would suggest a much simpler, but more stringent set of remedies that would require no oversight. In addition, they would be in effect as long as Microsoft maintains a dominance (largest share) or monopoly (>50%) in ANY market- operating systems, office applications, internet browsers, etc.

These would include:

1. Microsoft must license its operating system to hardware vendors who can customize it any way they choose. In addition, the operating system cost must be separated out from the hardware cost so that consumers will have the option to install a free operating system.

2. Microsoft or the hardware vendors who licensed and installed the operating system must provide a 90-day money back guarantee should a consumer wish to return the operating system (after having it deinstalled on their machine by the original seller of the system).

3. Microsoft must provide source code (for an additional but reasonable fee) upon request to those who purchase a copy of any of their software (though it will remain copyrighted and can not be duplicated, etc.)

4. Older, unsupported versions of their software (e.g. windows 95, office 95, etc.) will enter the public domain and be completely open source and free for any use.

5. "Core" applications (Office, internet explorer, SQL server, etc.) must be made available for all major operating systems (Linux, FreeBSD, AIX, Solaris, etc.) while all their other applications should be eventually ported to these other OS's.

6. Their client and server operating systems must interface equally well

with alternative platforms (ie, win9x or win2k clients will provide native support to connect a unix server via an X-server GUI or a win2k server will allow unix clients to connect via a provided terminal server client)

Though these requirements are not as drastic as the original break-up, it goes much further than the current, almost worthless stipulations.

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